

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**ANTHONY D'ACQUISTO, LARRY KAU,  
and WILLIAM MILLER,  
Plaintiffs,**

**v.**

**Case No. 05C0810**

**ALEXANDRA TRIFFO, and  
S. RUSSELL CHAMBERLAIN,  
Defendants.**

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**MEMORANDUM**

On March 5, 2007, I ordered that plaintiffs take sufficient action to prosecute this case. While plaintiffs moved for default judgment on March 23, 2007, they failed to request that the clerk enter default under Rule 55(a). Prior to obtaining a default judgment under either Federal Rule of Civil Procedure 55(b)(1) or Rule 55(b)(2), there must be an entry of default as provided by Rule 55(a). The clerk may enter a default only with regard to a claim for affirmative relief against a party who has failed to plead or otherwise defend. Elements of a default must be shown by means of an affidavit or by other competent proof. Fed. R. Civ. P. 55(a).

As plaintiffs are proceeding pro se, I will give them an additional thirty days from the date of this memorandum to comply with the rules, or I will dismiss this matter for failure to prosecute.

Dated at Milwaukee, Wisconsin, this 25 day of July, 2007.

/s \_\_\_\_\_  
LYNN ADELMAN  
District Judge